

REMARKS

Claims 1-27 were reported in the Office Action as pending. Claims 1-27 are rejected. Claims 1, 10 and 19 have been amended. Claim 3, 12, 21 and 28 are cancelled. Claims 1, 2, 4-11, 13-20 and 22-27 remain.

In response to the above-noted Office Action, Applicant has amended Claims 1, 10 and 19 to include the limitations of Claims 3, 12 and 21 respectively, and cancelled Claims 3, 12 and 21. Reconsideration and withdrawal of the rejections of record are requested in view of such amendments and the following discussion.

Claims 1-4, 6, 9-13, 15, 18-22, 24 and 27 are rejected under 35 USC 103 as being unpatentable over Stephens in view of Doyle. In this connection, Applicant notes in particular that Claims 3, 12 and 21 are rejected based upon Stevens which in paragraph 6 of the Action the Examiner contends that Stephens discloses an account processing method as claimed in Claim 1 wherein said parameters define business rules and variables for said client and said business rules control said accounting data processing citing col. 5, lines 65-68, col. 6, lines 1-11, and col. 9, lines 59-68, and col. 10, lines 41-49. Applicant has carefully reviewed the cited portions of Stevens, as well as the remainder of Stephens, and the other prior art of record and submits that neither Stephens nor the other prior art of record discloses the limitations of Claims 3, 12 and 21 which have now been incorporated in independent Claims 1, 10 and 19 respectively.

In this connection, Applicant notes that Applicant's claimed system and method enables a client to set parameters which control the timing of statement production and information (other than account information) such as announcements which may appear on statements generated by the method or system. See, for example, page 4, lines 21-29 which defines the term parameters as used by Applicant in the claims. Although the specified section of the application provides

examples rather than an exhaustive list of all possible parameters, a person skilled in the art would readily recognize the nature and type of such parameters based upon the information provided in the specification.

Such parameters, as defined by Applicant, are to be contrasted with which the Examiner construes as parameters according to Stephens. Referring for example to column 5, lines 65-68 in column 6, lines 1-11, although reference is made to the term “edit rules” and to “ECCHO Rules,” to the extent that such rules can be construed as parameters, they are not parameters which are set on client-by-client basis, and, in any event, do not result in generating customer account information including statement data from processed account data for respective customers of the client. In this connection, as noted at pages 1 and 2 of the specification, the present invention is directed to providing an account system and processing for small businesses who need to produce account statements for their customers at regular intervals without requiring the small businesses to administer and do all of the document handling which would otherwise be required to produce statements for their customers. That is, the present invention eliminates the need for the small businesses to print, fold, place into envelopes and subsequently mail statements to their customers. Applicant notes that while larger businesses may have existing equipment (and personnel) capable of performing these tasks, it is generally not economically practical for small companies to purchase or use the equipment necessary to do these tasks. See page 1, lines 16-24.

Stephens, by way of contrast, provides a mechanism for banks to electronically transfer cash letters and otherwise automate transactions between banks. Thus, what the Examiner refers to as parameters disclosed by Stephens have nothing to do with preparing statements for a client

which are customized based upon parameters provided by the client generating statement data for customers of the client.

Each of the independent claims includes the foregoing limitations relating to clients having specific parameters which are used to generate customer account information including statement data based on the client provided parameters.

Since the remaining claims, namely Claims 2, 4-9, 11, 13-18, 20 and 22-27 depend from a corresponding one of the independent claims and include the patentably distinct limitations discussed above, Applicant submits that all of the claims pending for examination, namely Claims 1, 2, 4-11, 13-20 and 22-27 are now in condition for allowance, which early Action is requested.

If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

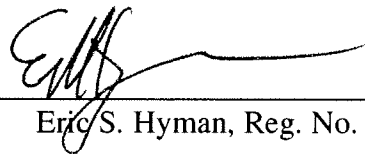
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated:

1/13/09

By:

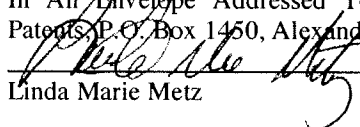


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